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Dated: April 28, 2009

Signed: Kathryn Dehert

PATENT

Attorney Docket No. 061810-5019-US03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Borowy-Borowski et al.

Application No.: 10/648,371

Filed: August 27, 2003

For: WATER-SOLUBLE  
COMPOSITIONS OF BIOACTIVE  
LIPOPHILIC COMPOUNDS

Customer No.: 43850

Examiner: CHANNAVAJJALA, Lakshmi  
Sarada

Art Unit: 1611

Confirmation No. : 3708

PETITION UNDER 37 CFR 1.78(a)(3) TO  
ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM UNDER 35 USC 120,  
121, OR 365(c) FOR THE BENEFIT OF A  
PRIOR-FILED APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

Applicants respectfully request that the priority claim of the present application be amended.

The references required by 35 USC 120 and 37 CFR 1.78(a)(2) to the prior-filed applications have been submitted in a separate amendment, in which the first paragraph of the specification has been amended to read as follows:

This application is a continuation of US Application 09/773,592, filed February 2, 2001, now US Patent 6,632,443, issued October 14, 2003; which is a continuation-in-part of US Application 09/511,239, filed February 23, 2000, now US Patent 6,191,172, issued February 20, 2001; which is a division of US Application 09/285,244, filed April 2, 1999, now US Patent 6,045,826, issued April 4, 2000.

The entire delay between the date that the claim was due under 37 CFR 1.78(a)(2)(ii) and the date that the claim was filed was unintentional.

The surcharge set forth in 37 CFR 1.17(t) has been submitted. In any case, the Commissioner is hereby authorized to charge any fees or to credit any relief in

connection with this submission to Deposit Account 50-0310 (Attorney Docket No. 061810-5019-US03).

As it is believed that Applicants have complied with the requirements of 37 CFR 1.78(a)(3), it is respectfully requested that this petition be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tuan N. Nguyen', with a stylized flourish at the end.

Tuan N. Nguyen  
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